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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 PAUL JOSEPH HEIMS,

12 Petitioner,

13 v.

14 BILL LOCKYER,

15 Respondent.
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) Case No. CV 08-8036 DSF (JC)
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)
)

) ORDER ADOPTING FINDINGS,
) CONCLUSIONS, AND
) RECOMMENDATIONS OF UNITED
) STATES MAGISTRATE JUDGE
)

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of
18 Habeas Corpus by a Person in State Custody (the "Petition"), all of the records
19 herein, and the attached Report and Recommendation of United States Magistrate
20 Judge. The Court approves and adopts the United States Magistrate Judge's
21 Report and Recommendation, except notes that in footnote 3 "Sorenson" should
22 be "Sorensen."

23 IT IS ORDERED that Judgment be entered denying the Petition and
24 dismissing this action without prejudice.

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1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the
2 United States Magistrate Judge's Report and Recommendation, and the Judgment
3 herein on petitioner and on counsel for respondent.

4 LET JUDGMENT BE ENTERED ACCORDINGLY.

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6 DATED: 2/23/09

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HONORABLE DALE S. FISCHER
UNITED STATES DISTRICT JUDGE